

UNITED STATES DISTRICT COURT

Case No.: 2:20-cv-02132-APG-EJY

Order Accepting Report and Recommendation and Dismissing Case Without Prejudice

[ECF No. 5]

Defendant

On June 2, 2021, Magistrate Judge Youchah recommended that I dismiss this case

without prejudice because plaintiff Thomas Curtis failed to pay the filing fee or submit an *in*

forma pauperis application as ordered. ECF No. 5. Curtis did not object. Thus, I am not

obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1)

(requiring district courts to “make a de novo determination of those portions of the report or

specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328

F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s

findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in

original)).

Further, the report and recommendation was returned in the mail and Curtis has not

updated his address. Under Local Rule IA 3-1, a pro se party must immediately provide the

court with written notice of a change of address. Failure to comply with the rule may result in

dismissal of the case. LR IA 3-1.

11

11

1 I THEREFORE ORDER that Magistrate Judge Youchah's report and recommendation
2 **(ECF No. 5) is accepted** and plaintiff Thomas Curtis's complaint (ECF No. 1-1) is DISMISSED
3 without prejudice. The clerk of court is instructed to close this case.

4 DATED this 29th day of June, 2021.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE